

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MARCOS MORALES,

Petitioner,

CASE NO. 2:07-cv-1274

JUDGE GRAHAM

MAGISTRATE JUDGE KING

v.

WARDEN, NOBLE CORRECTIONAL  
INSTITUTION,

Respondent.

**OPINION AND ORDER**

On September 22, 2008, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed as barred by the one-year statute of limitations under 28 U.S.C. §2244(d). Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

Date: October 9, 2008

S/James L. Graham

JAMES L. GRAHAM

United States District Judge